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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

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11 AARON HAHN,

12 Plaintiff,

13 v.

14 DOUG WADDINGTON, et al.,

15 Defendants.

CASE NO. 14-5047 RJB/TLF

ORDER REFERRING CASE

16 This matter comes before the Court on the Mandate of the U.S. Court of Appeals for the
17 Ninth Circuit. Dkt. 46. The Court has considered the Mandate and the remaining file.

18 In this civil rights case, Plaintiff alleges that Defendants were deliberately indifferent to
19 his mental health when they sent him to the Washington State Penitentiary and failed to protect
20 him from an inmate on inmate assault. Dkt. 19.

21 On June 5, 2017, the Ninth Circuit Court of Appeals reversed the decision of this Court
22 adopting a Report and Recommendation which recommended dismissal of the case because the
23 statute of limitations prevented consideration of the claims and Plaintiff made no showing that he
24 was entitled to equitable tolling. Dkt. 32. The mandate was issued on June 27, 2017. Dkt. 46.

1 This case should be referred to U.S. Magistrate Judge Theresa L. Fricke for further
2 proceedings.

3 It is **ORDERED** that:

- 4 • This case is **REFERRED** to U.S. Magistrate Judge Theresa L. Fricke for further
5 proceedings.

6 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Theresa
7 L. Fricke, all counsel of record, and to any party appearing *pro se* at said party's last known
8 address.

9 Dated this 10th day of June 2017.

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12 ROBERT J. BRYAN
13 United States District Judge
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